

Docket No.  
027171/014  
SBP:MWS:ph

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Uri Rosenschein et al.  
Serial No. : New Application  
Filed : Herewith  
Title : LYSIS METHOD AND APPARATUS

**DECLARATION CLAIMING SMALL ENTITY STATUS  
UNDER 37 C.F.R. 1.9(d) AND 1.27(c) - SMALL BUSINESS CONCERN**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

I hereby declare that I am an official of the small business concern  
empowered to act on behalf of the concern identified below:

Angiosonics Incorporated  
2200 Gateway Center Blvd.  
Suite 207  
Morrisville, North Carolina 27560

I hereby declare that the above identified concern qualifies as a small  
business concern as defined in 37 C.F.R. §§ 121.801 through 121.805, in accordance with  
37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41(a), (b) and (h)  
of Title 35, United States Code, in that the number of employees of the concern, including  
those of its affiliates, does not exceed 500 persons. For purposes of this statement:

(1) In calculating the number of employees of the business concern: (a)  
the average numbers of employees is used (including employees of domestic and foreign  
affiliates) based upon numbers of employees for each of the pay periods for the preceding  
completed 12 calendar months; (b) part-time and temporary employees are counted the

20250606 08265800

same as full-time employees; (c) if the concern has not been in business for 12 months, the average number of employees is used for each of the pay periods during which it has been in business; and (d) the treatment of employees of former affiliates or recently acquired affiliates is the same as for size determinations using annual receipts under 13 C.F.R. § 121.104(d); and

(2) Concerns are affiliates of each other when one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **LYSIS METHOD AND APPARATUS** by inventor Uri Rosenschein, Yoram Eshel, Vladimir Furman and Efim Kerncr, described herein.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e):

No such person, concern or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein or my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements

and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**ANGIOSONICS INCORPORATED**

Date: SEPTEMBER 29, 1997

By Richard B. Klein

Name: RICHARD B. KLEIN

Title: VP & COO

0893928-09297  
66260-6826E680

Docket No.  
027171/014  
MWS:jm

## Declaration, Power of Attorney and Petition

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if multiple names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled **LYSIS METHOD AND APPARATUS**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

			Priority claimed	
(Number)	(Country)	Day/month/year filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	Day/month/year filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	Day/month/year filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
(Application Serial No.)	(Filing date)	(patent, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint **Lawrence Rosenthal, Registration No. 24,377, Steven B. Pokotilow, Registration No. 26,405, Howard M. Gitten, Registration No. 32,138 and Matthew W. Siegal, Registration No. 32,941**, correspondence address:

**Stroock & Stroock & Lavan LLP**  
**180 Maiden Lane**  
**New York, New York 10038-4982**

Direct telephone calls to:  
**(212) 806-5400**

as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

1-00  
Full name of sole or first inventor: Dr. Uri Rosenschein  
Inventor's signature: [Signature] Date: 25/9/97  
Residence: Kefar Daniel 73125, Israel  
Citizenship: Israeli ILX  
Post Office Address: Kefar Daniel 73125, Israel

2-00  
Full name of second joint inventor: Dr. Yoram Eshel  
Inventor's signature: [Signature] Date: 24/9/97  
Residence: Kisufim 38, Tel Aviv, Israel ILX  
Citizenship: Israeli  
Post Office Address: Kisufim 38, Tel Aviv, Israel

3-00  
Full name of third joint inventor: Dr. Vladimir Furman  
Inventor's signature: [Signature] Date: 24.09.97  
Residence: Shapira 726/21, Ashelon, Israel  
Citizenship: Israeli ILX  
Post Office Address: Shapira 726/21, Ashkelon, Israel

**Additional Inventors:**

Full name of fourth joint inventor: 4-0 Efim Kerner

Inventor's signature: [Signature] Date: 24.09.98

Residence: Kendler 41/19, Rehovot, Israel

Citizenship: Israeli ILX

Post Office Address: Kendler 41/19, Rehovot, Israel

Full name of additional joint inventor:

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of additional joint inventor:

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of additional joint inventor:

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of additional joint inventor:

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of additional joint inventor:

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of additional joint inventor:

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

08939289-09297  
265260-6826E680